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January 2, 2020

Hon. Loretta A. Preska
United States District Court
500 Pearl Street
New York, New York 10007

Re: *United States v. Damone Gadsden*, 06-cr-122 (LAP)

Dear Judge Preska:

This letter is an application for permission to refile by ECF certain documents that were submitted as part of a motion under the First Step Act which the Court decided in an order entered on September 13, 2019. The defendant has taken an appeal from that order, with appellant's opening brief due January 3, 2020.

When I initially filed the notice of motion in this case, the ECF clerk advised me that it needed to be refiled because it lacked my signature. ECF Doc. No. 214. I refiled a corrected notice of motion. ECF Doc. No. 217. However, I omitted to refile certain supporting papers which the ECF clerk had instructed that I refile in order to link them to Doc. No. 217, as opposed to Doc. No. 214. Courtesy copies of all papers were provided to the Court.

In order to ensure that there is no issue with the state of the appellate record, I seek permission of the Court to refile ECF Doc. Nos. 215, 215-1 and 215-2 (declaration in support of motion with exhibits) and ECF Doc. No. 216 (memorandum of law in support of motion).

I am advised by AUSA Rushmi Bhaskaran that the government has no objection to this application.

Very truly yours,

/s/ *Theodore S. Green*
Theodore S. Green

cc: AUSA Rushmi Bhaskaran
Rushmi.Bhaskaran@usdoj.gov

So ordered.

Loretta A. Preska

01/03/2020